

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Bill No. 07-56

Introduced by: Council Member Lisanti and Council President Boniface & Council Members Chenoweth & Shrodes
Legislative Day No. 07-35 Date: December 11, 2007

AN ACT to add the definition of lodging house, to Section 267-4, Definitions, of Article I, General Provisions; to repeal and reenact, with amendments, Section 267-38.1, MO Mixed Office District, of Article VI, District Regulations, all of Part 1, Standards; to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Amusements; to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Residential: Transient Housing; to repeal and reenact, with amendments, Table I; Principal Permitted Uses for Specific Zoning Districts: Retail Trade; and to repeal and reenact, with amendments, Table IXA: Design Requirements for Specific Uses: MO Mixed Office District, all of Chapter 267, Zoning, of the Harford County Code, as amended; to define a certain term; to clarify the purpose and objectives of the MO District; to establish the standard for certain transient housing; to establish certain screening requirements; to require certain plans to be submitted with the site plan; to change the permitted uses within the district; to change the height and setback restriction for certain uses; and generally relating to the MO District.

By the Council, December 11, 2007

Introduced, read first time, ordered posted and public hearing scheduled

on: January 15, 2008

at: 6:30 p.m.

By order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 15, 2008, and concluded on January 15, 2008.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

1 Section 1. Be It Enacted By the County Council of Harford County Maryland, that the
2 definition of lodging house, be, and it is hereby added to Section 267-4, Definitions, of Article
3 I, General Provisions, of Part 1, Standards, that Section 267-38.1, MO Mixed Office District,
4 of Article VI, District Regulations, of Part 1, Standards, be, and it is hereby repealed and
5 reenacted, with amendments, that Table I: Principal Permitted Uses for Specific Zoning
6 Districts: Amusements, be, and it is hereby, repealed and reenacted, with amendments, that
7 Table I: Principal Permitted Uses for Specific Zoning Districts: Residential: Transient
8 Housing, be, and it is, hereby repealed and reenacted, with amendments, that Table I: Principal
9 Permitted Uses for Specific Zoning Districts: Retail Trade, be, and it is hereby, repealed and
10 reenacted, with amendments, and that Table IXA: Design Requirements for Specific Uses: MO
11 Mixed Office District, be, and it is hereby, repealed and reenacted, with amendments, all of
12 Chapter 267, Zoning, of the Harford County Code, as amended, to read as follows:

13 Chapter 267. Zoning.

14 Part 1. Standards.

15 Article I. General Provisions.

16 Section 267-4. Definitions.

17 For purposes of this Part 1, the following words and phrases shall have the meanings
18 provided below:

19 LODGING HOUSE-- A BUILDING OFFERING TRANSIENT DWELLING
20 ACCOMMODATIONS WHERE THE FACILITIES ARE MULTIFACETED WITH A
21 DISTINGUISHED STYLE, INCLUDING MARKED UPGRADES IN THE QUALITY OF
22 PHYSICAL ATTRIBUTES, AMENITIES AND LEVEL OF SERVICE AND COMFORT
23 PROVIDED.

1 Article VI. District Regulations.

2 Section 267-38.1. MO Mixed Office District.

3 A. Purpose. The MO District legislation is designed to promote major economic
4 development opportunities, including, but not limited to, corporate offices, research and
5 development facilities and high-tech services which create significant job opportunities and
6 investment benefits. DUE TO THE EXCELLENT ACCESS AND HIGH VISIBILITY OF
7 THE MO DISTRICT, THE INTENTION OF THE MO DISTRICT LEGISLATION IS TO
8 PROMOTE HIGH QUALITY USES WITH HIGH QUALITY AMENITIES. This area may
9 also include retail uses to service the employment center. Designated at strategic I-95
10 interchanges, development will be subject to specific performance, architectural and site design
11 standards. Enactment of this legislation shall not serve to open the development envelope
12 beyond those areas designated "MO" on the 2004 Harford County Master Land Use Plan.

13 B. Objectives.

14 (1) To promote a mix of corporate offices, DEFENSE CONTRACTORS AND SUPPORT
15 SERVICES, SCIENCE FACILITIES, SECURITY CONTRACTORS, research and
16 development facilities, high-tech services and retail and service uses in desirable areas in the
17 County which have a positive effect on [economic development] THE COUNTY'S
18 ECONOMIC TAX BASE and employment.

19 (2) TO PROVIDE RETAIL USES WITHIN THE MO DISTRICT THAT ARE PRIMARILY
20 INTENDED TO SERVE THOSE INDIVIDUALS EMPLOYED WITHIN THE DISTRICT.

21 [(2)] (3) To maximize the attractiveness of and to enhance the visual appearance through
22 preservation of significant natural features.

1 [(3)] (4) To assure compatibility of the proposed land use with internal and surrounding
2 uses by incorporating innovative standards of land planning and site design.

3 [(4)] (5) To encourage pedestrian access to uses and to reduce traffic congestion by
4 encouraging the clustering of buildings near internal streets.

5 (6) TO MAINTAIN AND ENHANCE THE VISUAL CHARACTER OF THE AREA
6 AND TO PRESERVE THE VIEWSHED OF THE I-95 INTERCHANGES.

7 C. General regulations.

8 (1) Minimum lot or parcel area for the project shall be 20 acres.

9 (2) Buffer yards shall comply with requirements set forth in § 267-28, buffer yards and
10 screening, for the General Industrial District. IN ADDITION TO THE REQUIREMENTS OF
11 § 267-28, A MINIMUM BUFFER OF 30 FEET SHALL BE PROVIDED ALONG ANY
12 ADJACENT AG DISTRICT AND ALONG ANY ADJACENT PUBLIC ROAD.

13 (3) The project shall have direct access to one or more collector or higher functional
14 classification roadways, as defined by the Harford County Transportation Element Plan.

15 (4) The project must utilize public water and sewer service.

16 D. Specific requirements. The following uses are permitted, subject to the additional
17 requirements below:

18 (1) [The principal permitted uses in the MO, Mixed Office Zoning District, in Table I.]
19 EXCEPT FOR SHOPPERS MERCHANDISE STORES, THE PRINCIPAL PERMITTED
20 USES IN THE MO, MIXED OFFICE DISTRICT, SHALL BE THOSE USES SHOWN IN
21 TABLE I. UNDER SHOPPERS MERCHANDISE STORES ONLY APPAREL AND
22 ACCESSORIES AND COMMUNICATION EQUIPMENT SALES AND SERVICE SHALL
23 BE PERMITTED.

1 (2) For purposes of the MO, Mixed Office Zoning District, only the following transient
2 residential uses shall be permitted:

3 (a) Country inns and resorts; and

4 (b) [Hotels and motels] LODGING HOUSE.

5 (3) Design requirements. Development in the MO District shall comply with the following
6 regulations:

7 (a) Vehicular circulation.

8 (1) Loading and service areas shall be separated from the pedestrian and employee parking
9 areas. Service areas shall be located away from roadways to the greatest extent possible.

10 LOADING AND SERVICE AREAS SHALL BE EFFECTIVELY SCREENED FROM
11 ADJOINING PROPERTIES AND ROADWAYS.

12 (2) The internal vehicular circulation system must follow a pattern of intersection streets
13 that provide alternative routes.

14 (3) Points of external access and alignments of internal roadways must facilitate use of
15 public transit. This may include rights-of-way sufficient for bus pull-outs and bus shelters as
16 well as transit easements on private streets.

17 (4) A comprehensive pedestrian circulation system must link all uses with the intent of
18 minimizing walking distances and reducing dependence on the private automobile for internal
19 travel and external access.

20 (b) Parking standards.

21 (1) A PARKING AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED AS
22 PART OF THE SITE PLAN APPROVAL PROCESS.

1 [(1)] (2) All parking areas must be effectively screened from adjacent roadways and adjoining
2 residential districts, pursuant to § 267-28, Buffer yards and screening.

3 [(2)] (3) Parking areas should be broken up into lots of no more than 150 cars; the lots should
4 be separated by landscaped islands.

5 [(3)] (4) The number of parking spaces provided and overall design and layout of parking lots
6 must be in accordance with § 267-25, Off-street parking and loading, of the Harford County
7 Code.

8 [(4)] (5) No direct access to any lot is allowed from a collector or higher functional
9 classification road, as defined in the Harford County Transportation Element Plan.

10 [(5)] (6) All access points from a parcel in the MO District shall be consolidated wherever
11 feasible.

12 (c) Landscaping. The following landscaping regulations shall apply in the MO District:

13 (1) THE LANDSCAPING SHOULD PROVIDE FOR A TRANSITION FROM
14 THE SURROUNDING AGRICULTURAL USES AND RURAL LANDSCAPE TO THE
15 EMPLOYMENT, RETAIL AND SERVICE USES ON THE SITE.

16 [(1)] (2) Facilities for refuse disposal shall be enclosed by solid fence or walls, and
17 landscaping shall be installed around the perimeter.

18 [(2)] (3) Existing trees shall be retained and incorporated into the landscaping and site
19 design to the greatest extent possible. Every effort should be made to avoid formality in
20 plantings, except as it may be integral to an architectural concept. Emphasis should be placed
21 on the natural grouping of groves of trees, and every opportunity should be taken to emphasize
22 or take advantage of natural terrain features.

1 [(3)] (4) Islands and other landscaping alternatives shall be incorporated into parking
2 AND PEDESTRIAN areas to add visual interest. The use of islands, perimeter or rooftop
3 gardens designed and landscaped to serve as bioretention facilities is encouraged.

4 (d) Building design standards.

5 (1) An architectural rendering of the building facade and elevations of the structures shall
6 be submitted to the Department of Planning and Zoning as part of the site plan approval
7 process.

8 (2) Architecturally harmonious materials, colors, textures and treatments shall be used for
9 all exterior walls within the MO District. THE BUILDING MATERIALS, COLORS,
10 TEXTURES AND TREATMENTS SHALL BE HARMONIOUS WITHIN THE PROJECT.
11 All sides of the building are to be built with finish materials, including, but not limited to,
12 brick, natural stone and ornamental block. In no event, however, shall wood, vinyl or
13 aluminum siding be used.

14 (3) Mechanical equipment should be located within the building or within a mechanical
15 equipment penthouse. If mechanical equipment is located on the roof or is freestanding on the
16 site, it must be effectively screened from view by means fully compatible with the architecture.
17 Mechanical equipment must be screened from view from all sides.

18 (4) Outdoor storage is prohibited.

19 (e) Retail/service uses.

20 (1) Retail and service other than professional services and corporate office uses may be
21 incorporated into the overall project for up to 25%.

22 (2) Retail and service uses shall not have direct access on a collector or higher functionally
23 classified roadway.

1 (3) Any retail or service use may be incorporated as part of the office park buildings.

2 (4) Professional services and corporate office uses shall not be limited to 25% of the
3 overall project.

4 (f) Lighting.

5 (1) The lighting fixtures shall be designed to assure compatibility with the building style.

6 (2) [Lighting shall be designed, installed and maintained in a manner not to cause a glare or
7 reflection on adjacent residential lots.] LIGHTING SHALL BE DESIGNED AND
8 CONTROLLED SO THAT ANY LIGHT SHALL BE SHADED, SHIELDED OR
9 DIRECTED SO THAT THE LIGHT INTENSITY OR BRIGHTNESS, DOES NOT
10 ADVERSELY AFFECT THE OPERATION OF VEHICLES OR REFLECT INTO
11 RESIDENTIAL LOTS OR BUILDINGS. THE LIGHTING FIXTURES SHALL BE
12 DESIGNED TO ASSURE COMPATIBILITY WITH THE BUILDING STYLE.

13 (g) Open space. The MO District shall include a minimum of 15% of the parcel area
14 preserved as vegetated open space. The buffer yards, landscaped parking islands, building and
15 perimeter landscaping shall be included in the calculation of open space, so long as a minimum
16 width of 10 feet is maintained. Vegetated stormwater management facilities shall NOT be
17 included in the calculation of open space.

18 (h) Signage.

19 (1) Signage shall be considered an integral part of the design and shall incorporate the
20 architectural elements and materials utilized. In all instances, consideration shall be taken to
21 ensure each sign does not restrict sight distance for motor vehicle operators.

22 (2) An overall signage plan and architectural renderings of the signs shall be submitted as
23 part of the site plan approval process. The signage shall be compatible in quality, style, color

1 and materials to the building(s). Creative modifications to the standard signage package used
2 by large corporations and innovative sign lighting are strongly encouraged.

3 (3) Freestanding identification signs shall be limited to one sign for each road frontage.
4 The maximum size of any sign shall not exceed 50 square feet. The maximum height of the
5 signs shall not exceed 10 feet, and signs must be set back a minimum of 10 feet from the road
6 right-of-way line.

7 (4) Signs to identify the use of an occupant shall be designed as part of the architectural
8 design of the building and attached thereto, not exceeding one square foot for each horizontal
9 linear foot of wall facing on the street on which the sign faces.

10 (5) Directional information signs shall be adequately provided and design coordinated.

11 (6) The following types of signs shall not be permitted for any project located in the MO

12 District:

13 (a) Billboards.

14 (b) Flashing, revolving, rotating or changing-light-intensity or changing-color signs.

15 (c) Temporary or portable signs.

16 (i) Impervious surface. The MO District shall contain a maximum impervious surface of
17 85%.

18 (j) UTILITY FACILITIES. WATER TOWERS OR OTHER SIMILAR UTILITY
19 FACILITIES SHOULD, TO THE GREATEST EXTENT POSSIBLE, BE LOCATED AND
20 DESIGNED TO MINIMIZE THE VISIBILITY OF THE STRUCTURE FROM ADJOINING
21 PROPERTIES AND ROADWAYS.

22 Section 2. And Be It Further Enacted, that this Act shall take effect 60 calendar days from
23 the date it becomes law.

EFFECTIVE: March 24, 2008

*The Council Administrator does hereby certify
that fifteen (15) copies of this Bill are immediately
available for distribution to the public and the press.*

Barbara J. O'Connor
Council Administrator

HARFORD COUNTY BILL NO. 07-56

Brief Title Zoning – MO District

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. O'Connor
Council Administrator

Date January 15, 2008

ENROLLED

Billy Bonfante
Council President

Date January 15, 2008

BY THE COUNCIL

Read the third time.

Passed: LSD 08-02

Failed of Passage: _____

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 16th day of January, 2008 at 3:00 p.m.

Barbara J. O'Connor
Council Administrator



BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date January 24, 2008

BY THE COUNCIL

This Bill No. 07-56 having been approved by the Executive and returned to the Council, becomes law on January 24, 2008.

EFFECTIVE DATE: March 24, 2008

Barbara J. O'Connor
Barbara J. O'Connor,
Council Administrator

BILL NO. 07-56

Table I:
Principal Permitted Uses for Specific Zoning Districts:

AMUSEMENTS

USE CLASSIFICATIONS	ZONING DISTRICTS																
	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
AMUSEMENTS																	
Adult Book Stores, Adult entertainment centers													P				
Agricultural public events	P																
Arenas and stadiums														SE	SE	SE	SE
Carnivals, circuses, concerts & public events (excluding religious activities)	T								T	T	T	T	T	T	T	T	T
Commercial amusement and recreation										P		P	P	P	P		
Country clubs, golf clubs, tennis and swim clubs	SE	SE	SE	SE	SE	SE	SE					P	P	P	P	SE	SE [P]
Fairgrounds, racetracks, and theme parks	SE													SE	SE	SE	SE
Gymnasiums and health clubs										P		P	P	P	P	P	P
Marinas, boat launching, storage and repair	SE	SE	SE	SE	SE	SE	SE				SE	SE	P	P	SE	P	
Motor vehicle recreation and go-cart tracks	SE																SE
Nightclubs, lounges, bars and taverns										P				P	P		
Noncompetitive recreational amusement cars															P		
Private parties and receptions	SD																
Riding stables, commercial or club (except accessory uses)	SD													P	P		
Theaters, indoor	SE									P		P	P	P	P		
Theaters, outdoor, shooting ranges, indoor, and golf driving ranges	SE													P	P		
Trap, skeet, rifle and archery ranges, outdoor	SE													SE		SE	

KEY:

"P" indicates permitted subject to applicable code requirements

"SD" indicates permitted subject to special-development regulations, pursuant to Article VII.

"SE" indicates permitted subject to special-exception regulations, pursuant to Article VIII.

"T" indicates permitted subject to temporary-use regulations, pursuant to § 267-27.

A blank cell indicates that the use is not permitted

RESIDENTIAL: Transient Housing

[illegible]

"p"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article VIII.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-27.
"p/SE"	indicates permitted subject to applicable code requirements or subject to special exception regulations, pursuant to Article VIII
***	indicates permitted regulation in the Commercial Revitalization District (CRD) only
***	indicates permitted in the Edgewood Neighborhood Overlay District (ENOD) only
***	A blank cell indicates that the use is not permitted

Table I:
Principal Permitted Uses for Specific Zoning Districts:

RETAIL TRADE

USE CLASSIFICATIONS	ZONING DISTRICTS														
	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI
RETAIL TRADE															
Agricultural retail	P							SE		P	P	P	P	P	
Antique shops, art galleries and museums	SE							SD		P	P	P	P	P	P
Auction houses, animal and agricultural related products	SE									SE			SE	P	P
Auction houses, non agricultural related										P	P	P	P	P	P
Christmas tree sales	T	T		T	T	T	T		T	T	T	T	T	T	T
Convenience goods stores							SD			P	P	P	P	P	P
Farmers co-ops	P									P	P	P	P	P	P
Feed and grain mills	P													P	P
Feed and grain – Storage and sales	SD														
General merchandise stores										P			P	P	
Hawkers and peddlers										T		T	T	T	
Liquor stores										P		P	P	P	P
Integrated community shopping centers (ICSC)										SD/**	SD/**	SD/**	SD/**		
Shopping centers										P	P	P	P		
Shoppers merchandise stores*										P		P	P	P	P****
Specialty shops										SD*	P	P	P	P	P
Hobby and craft supplies (otherwise classified as specialty shops)								SE							
Mixed use center							SD** P***					SD** P***	SD** P***	SD** P***	

KEY:

“P” indicates permitted subject to applicable code requirements

“SD” indicates permitted subject to special-development regulations, pursuant to Article VII.

“SE” indicates permitted subject to special-exception regulations, pursuant to Article VIII.

“T” indicates permitted subject to temporary-use regulations, pursuant to § 267-27.

* Except for Cosmetic shops, Key Shops and Novelty Shops

** indicates permitted subject to special-development regulation in the Commercial Revitalization District (CRD) only

*** indicates permitted in the Edgewood Neighborhood Overlay District (ENOD) only

**** indicates that only apparel and accessories and communication equipment sales and service are permitted as shoppers merchandise stores within the MO District

A blank cell indicates that the use is not permitted

Table IXA: Design Requirements for Specific Uses:

MO

Mixed Office District

[illegible]

NOTE:

General requirements shall apply to all permitted uses in the classification. Some uses may have additional requirements specifically cited in §267-18 through §267-53